

104TH CONGRESS  
2D Session

# H. R. 3586

## AN ACT

To amend title 5, United States Code, to strengthen veterans' preference, to increase employment opportunities for veterans, and for other purposes.

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To amend title 5, United States Code, to strengthen veterans' preference, to increase employment opportunities for veterans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Veterans Employment  
3 Opportunities Act of 1996”.

4 **SEC. 2. EQUAL ACCESS FOR VETERANS.**

5       (a) COMPETITIVE SERVICE.—Section 3304 of title 5,  
6 United States Code, is amended by adding at the end the  
7 following:

8       “(f)(1) No preference eligible, and no individual  
9 (other than a preference eligible) who has been separated  
10 from the armed forces under honorable conditions after  
11 3 or more years of active service, shall be denied the op-  
12 portunity to compete for an announced vacant position  
13 within an agency, in the competitive service or the ex-  
14 cepted service, by reason of—

15               “(A) not having acquired competitive status; or

16               “(B) not being an employee of such agency.

17       “(2) Nothing in this subsection shall prevent an agen-  
18 cy from filling a vacant position (whether by appointment  
19 or otherwise) solely from individuals on a priority place-  
20 ment list consisting of individuals who have been sepa-  
21 rated from the agency due to a reduction in force and sur-  
22 plus employees (as defined under regulations prescribed  
23 by the Office).”.

24       (b) CIVIL SERVICE EMPLOYMENT INFORMATION.—

25               (1) VACANT POSITIONS.—Section 3327(b) of  
26 title 5, United States Code, is amended by striking

1 “and” at the end of paragraph (1), by redesignating  
2 paragraph (2) as paragraph (3), and by inserting  
3 after paragraph (1) the following:

4 “(2) each vacant position in the agency for  
5 which competition is restricted to individuals having  
6 competitive status or employees of such agency, ex-  
7 cluding any position under paragraph (1), and”.

8 (2) ADDITIONAL INFORMATION.—Section 3327  
9 of title 5, United States Code, is amended by adding  
10 at the end the following:

11 “(c) Any notification provided under this section  
12 shall, for all positions under subsection (b)(1) as to which  
13 section 3304(f) applies and for all positions under sub-  
14 section (b)(2), include a notation as to the applicability  
15 of section 3304(f) with respect thereto.

16 “(d) In consultation with the Secretary of Labor, the  
17 Office shall submit to Congress and the President, no less  
18 frequently than every 2 years, a report detailing, with re-  
19 spect to the period covered by such report—

20 “(1) the number of positions listed under this  
21 section during such period;

22 “(2) the number of preference eligibles and  
23 other individuals described in section 3304(f)(1) re-  
24 ferred to such positions during such period; and

1 “(3) the number of preference eligibles and  
2 other individuals described in section 3304(f)(1) ap-  
3 pointed to such positions during such period.”.

4 (c) GOVERNMENTWIDE LISTS.—

5 (1) VACANT POSITIONS.—Section 3330(b) of  
6 title 5, United States Code, is amended to read as  
7 follows:

8 “(b) The Office of Personnel Management shall cause  
9 to be established and kept current—

10 “(1) a comprehensive list of all announcements  
11 of vacant positions (in the competitive service and  
12 the excepted service, respectively) within each agency  
13 that are to be filled by appointment for more than  
14 1 year and for which applications are being or will  
15 soon be accepted from outside the agency’s work  
16 force; and

17 “(2) a comprehensive list of all announcements  
18 of vacant positions within each agency for which ap-  
19 plications are being or will soon be accepted and for  
20 which competition is restricted to individuals having  
21 competitive status or employees of such agency, ex-  
22 cluding any position required to be listed under  
23 paragraph (1).”.

24 (2) ADDITIONAL INFORMATION.—Section  
25 3330(c) of title 5, United States Code, is amended

1 by striking “and” at the end of paragraph (2), by  
 2 redesignating paragraph (3) as paragraph (4), and  
 3 by inserting after paragraph (2) the following:

4 “(3) for all positions under subsection (b)(1) as  
 5 to which section 3304(f) applies and for all positions  
 6 under subsection (b)(2), a notation as to the applica-  
 7 bility of section 3304(f) with respect thereto; and”.

8 (3) CONFORMING AMENDMENT.—Section  
 9 3330(d) of title 5, United States Code, is amended  
 10 by striking “The list” and inserting “Each list  
 11 under subsection (b)”.

12 **SEC. 3. SPECIAL PROTECTIONS FOR PREFERENCE ELIGI-**  
 13 **BLES IN REDUCTIONS IN FORCE.**

14 Section 3502 of title 5, United States Code, as  
 15 amended by section 1034 of the National Defense Author-  
 16 ization Act for Fiscal Year 1996 (Public Law 104–106;  
 17 110 Stat. 430), is amended by adding at the end the fol-  
 18 lowing:

19 “(g)(1) A position occupied by a preference eligible  
 20 shall not be placed in a single-position competitive level  
 21 if the preference eligible is qualified to perform the essen-  
 22 tial functions of any other position at the same grade (or  
 23 occupational level) in the competitive area. In such cases,  
 24 the preference eligible shall be entitled to be placed in an-  
 25 other competitive level for which such preference eligible

1 is qualified. If the preference eligible is qualified for more  
2 than one competitive level, such preference eligible shall  
3 be placed in the competitive level containing the most posi-  
4 tions.

5 “(2) For purposes of paragraph (1)—

6 “(A) a preference eligible shall be considered  
7 qualified to perform the essential functions of a posi-  
8 tion if, by reason of experience, training, or edu-  
9 cation (and, in the case of a disabled veteran, with  
10 reasonable accommodation), a reasonable person  
11 could conclude that the preference eligible would be  
12 able to perform those functions successfully within a  
13 period of 150 days; and

14 “(B) a preference eligible shall not be consid-  
15 ered unqualified solely because such preference eligi-  
16 ble does not meet the minimum qualification require-  
17 ments relating to previous experience in a specified  
18 grade (or occupational level), if any, that are estab-  
19 lished for such position by the Office of Personnel  
20 Management or the agency.

21 “(h) In connection with any reduction in force, a  
22 preference eligible whose current or most recent perform-  
23 ance rating is at least fully successful (or the equivalent)  
24 shall have, in addition to such assignment rights as are  
25 prescribed by regulation, the right, in lieu of separation,

1 to be assigned to any position within the agency conduct-  
2 ing the reduction in force—

3 “(1) for which such preference eligible is quali-  
4 fied under subsection (g)(2)—

5 “(A) that is within the preference eligible’s  
6 commuting area and at the same grade (or oc-  
7 cupational level) as the position from which the  
8 preference eligible was released, and that is  
9 then occupied by an individual, other than an-  
10 other preference eligible, who was placed in  
11 such position (whether by appointment or oth-  
12 erwise) within 6 months before the reduction in  
13 force if, within 12 months prior to the date on  
14 which such individual was so placed in such po-  
15 sition, such individual had been employed in the  
16 same competitive area as the preference eligible;  
17 or

18 “(B) that is within the preference eligible’s  
19 competitive area and that is then occupied by  
20 an individual, other than another preference eli-  
21 gible, who was placed in such position (whether  
22 by appointment or otherwise) within 6 months  
23 before the reduction in force; or

24 “(2) for which such preference eligible is quali-  
25 fied that is within the preference eligible’s competi-



1        tive area and that is not more than 3 grades (or pay  
2        levels) below that of the position from which the  
3        preference eligible was released, except that, in the  
4        case of a preference eligible with a compensable  
5        service-connected disability of 30 percent or more,  
6        this paragraph shall be applied by substituting ‘5  
7        grades’ for ‘3 grades’.

8        In the event that a preference eligible is entitled to assign-  
9        ment to more than 1 position under this subsection, the  
10       agency shall assign the preference eligible to any such po-  
11       sition requiring no reduction (or, if there is no such posi-  
12       tion, the least reduction) in basic pay. A position shall not,  
13       with respect to a preference eligible, be considered to sat-  
14       isfy the requirements of paragraph (1) or (2), as applica-  
15       ble, if it does not last for at least 12 months following  
16       the date on which such preference eligible is assigned to  
17       such position under this subsection.

18       “(i) A preference eligible may challenge the classifica-  
19       tion of any position to which the preference eligible asserts  
20       assignment rights (as provided by, or prescribed by regula-  
21       tions described in, subsection (h)) in an action before the  
22       Merit Systems Protection Board.

23       “(j)(1) Not later than 3 months after the date of the  
24       enactment of this subsection, each Executive agency shall

1 establish an agencywide priority placement program to fa-  
2 cilitate employment placement for employees who—

3 “(A)(i) are scheduled to be separated from serv-  
4 ice due to a reduction in force under—

5 “(I) regulations prescribed under this sec-  
6 tion; or

7 “(II) procedures established under section  
8 3595; or

9 “(ii) are separated from service due to such a  
10 reduction in force; and

11 “(B)(i) have received a rating of at least fully  
12 successful (or the equivalent) as the last perform-  
13 ance rating of record used for retention purposes; or

14 “(ii) occupy positions excluded from a perform-  
15 ance appraisal system by law, regulation, or admin-  
16 istrative action taken by the Office of Personnel  
17 Management.

18 “(2)(A) Each agencywide priority placement program  
19 under this subsection shall include provisions under which  
20 a vacant position shall not (except as provided in this  
21 paragraph or any other statute providing the right of re-  
22 employment to any individual) be filled by the appoint-  
23 ment or transfer of any individual from outside of that  
24 agency (other than an individual described in subpara-  
25 graph (B)) if—

1           “(i) there is then available any individual de-  
2       scribed in subparagraph (B) who is qualified for the  
3       position; and

4           “(ii) the position—

5               “(I) is at the same grade or pay level (or  
6       the equivalent) or not more than 3 grades (or  
7       grade intervals) below that of the position last  
8       held by such individual before placement in the  
9       new position;

10               “(II) is within the same commuting area  
11       as the individual’s last-held position (as referred  
12       to in subclause (I)) or residence; and

13               “(III) has the same type of work schedule  
14       (whether full-time, part-time, or intermittent)  
15       as the position last held by the individual.

16       “(B) For purposes of an agencywide priority place-  
17       ment program, an individual shall be considered to be de-  
18       scribed in this subparagraph if such individual—

19               “(i)(I) is an employee of such agency who is  
20       scheduled to be separated, as described in paragraph  
21       (1)(A)(i); or

22               “(II) is an individual who became a former em-  
23       ployee of such agency as a result of a separation, as  
24       described in paragraph (1)(A)(ii), excluding any in-

1       dividual who separated voluntarily under subsection  
2       (f); and

3               “(ii) satisfies clause (i) or (ii) of paragraph  
4       (1)(B).

5       “(3)(A) If after a reduction in force the agency has  
6 no positions of any type within the local commuting areas  
7 specified in this subsection, the individual may designate  
8 a different local commuting area where the agency has  
9 continuing positions in order to exercise reemployment  
10 rights under this subsection. An agency may determine  
11 that such designations are not in the interest of the Gov-  
12 ernment for the purpose of paying relocation expenses  
13 under subchapter II of chapter 57.

14       “(B) At its option, an agency may administratively  
15 extend reemployment rights under this subsection to in-  
16 clude other local commuting areas.

17       “(4)(A) In selecting employees for positions under  
18 this subsection, the agency shall place qualified present  
19 and former employees in retention order by veterans’ pref-  
20 erence subgroup and tenure group.

21       “(B) An agency may not pass over a qualified present  
22 or former employee to select an individual in a lower veter-  
23 ans’ preference subgroup within the tenure group, or in  
24 a lower tenure group.

1       “(C) Within a subgroup, the agency may select a  
2 qualified present or former employee without regard to the  
3 individual’s total creditable service.

4       “(5) An individual is eligible for reemployment prior-  
5 ity under this subsection for 2 years from the effective  
6 date of the reduction in force from which the individual  
7 will be, or has been, separated under this section or section  
8 3595, as the case may be.

9       “(6) An individual loses eligibility for reemployment  
10 priority under this subsection when the individual—

11           “(A) requests removal in writing;

12           “(B) accepts or declines a bona fide offer under  
13 this subsection or fails to accept such an offer within  
14 the period of time allowed for such acceptance, or

15           “(C) separates from the agency before being  
16 separated under this section or section 3595, as the  
17 case may be.

18 A present or former employee who declines a position with  
19 a representative rate (or equivalent) that is less than the  
20 rate of the position from which the individual was sepa-  
21 rated under this section retains eligibility for positions  
22 with a higher representative rate up to the rate of the indi-  
23 vidual’s last position.

24       “(7) Whenever more than one individual is qualified  
25 for a position under this subsection, the agency shall select

1 the most highly qualified individual, subject to paragraph  
2 (4).

3 “(8) The Office of Personnel Management shall issue  
4 regulations to implement this subsection.”.

5 **SEC. 4. IMPROVED REDRESS FOR VETERANS.**

6 (a) IN GENERAL.—Subchapter I of chapter 33 of title  
7 5, United States Code, is amended by adding at the end  
8 the following:

9 **“§ 3330a. Administrative redress**

10 “(a)(1) Any preference eligible or other individual de-  
11 scribed in section 3304(f)(1) who alleges that an agency  
12 has violated such individual’s rights under any statute or  
13 regulation relating to veterans’ preference, or any right  
14 afforded such individual by section 3304(f), may file a  
15 complaint with the Secretary of Labor.

16 “(2) A complaint under this subsection must be filed  
17 within 60 days after the date of the alleged violation, and  
18 the Secretary shall process such complaint in accordance  
19 with sections 4322 (a) through (e)(1) and 4326 of title  
20 38.

21 “(b)(1) If the Secretary of Labor is unable to resolve  
22 the complaint within 60 days after the date on which it  
23 is filed, the complainant may elect to appeal the alleged  
24 violation to the Merit Systems Protection Board in accord-  
25 ance with such procedures as the Merit Systems Protec-

1 tion Board shall prescribe, except that in no event may  
2 any such appeal be brought—

3 “(A) before the 61st day after the date on  
4 which the complaint is filed under subsection (a); or

5 “(B) later than 15 days after the date on which  
6 the complainant receives notification from the Sec-  
7 retary of Labor under section 4322(e)(1) of title 38.

8 “(2) An appeal under this subsection may not be  
9 brought unless—

10 “(A) the complainant first provides written no-  
11 tification to the Secretary of Labor of such com-  
12 plainant’s intention to bring such appeal; and

13 “(B) appropriate evidence of compliance with  
14 subparagraph (A) is included (in such form and  
15 manner as the Merit Systems Protection Board may  
16 prescribe) with the notice of appeal under this sub-  
17 section.

18 “(3) Upon receiving notification under paragraph  
19 (2)(A), the Secretary of Labor shall not continue to inves-  
20 tigate or further attempt to resolve the complaint to which  
21 such notification relates.

22 “(c) This section shall not be construed to prohibit  
23 a preference eligible from appealing directly to the Merit  
24 Systems Protection Board from any action which is ap-

1 pealable to the Board under any other law, rule, or regula-  
2 tion, in lieu of administrative redress under this section.

3 **“§ 3330b. Judicial redress**

4 “(a) In lieu of continuing the administrative redress  
5 procedure provided under section 3330a(b), a preference  
6 eligible or other individual described in section 3304(f)(1)  
7 may elect, in accordance with this section, to terminate  
8 those administrative proceedings and file an action with  
9 the appropriate United States district court not later than  
10 60 days after the date of the election.

11 “(b) An election under this section may not be  
12 made—

13 “(1) before the 121st day after the date on  
14 which the appeal is filed with the Merit Systems  
15 Protection Board under section 3330a(b); or

16 “(2) after the Merit Systems Protection Board  
17 has issued a judicially reviewable decision on the  
18 merits of the appeal.

19 “(c) An election under this section shall be made, in  
20 writing, in such form and manner as the Merit Systems  
21 Protection Board shall by regulation prescribe. The elec-  
22 tion shall be effective as of the date on which it is received,  
23 and the administrative proceeding to which it relates shall  
24 terminate immediately upon the receipt of such election.



1 **“§ 3330c. Remedy**

2 “(a) If the Merit Systems Protection Board (in a pro-  
 3 ceeding under section 3330a) or a court (in a proceeding  
 4 under section 3330b) determines that an agency has vio-  
 5 lated a right described in section 3330a, the Board or  
 6 court (as the case may be) shall order the agency to com-  
 7 ply with such provisions and award compensation for any  
 8 loss of wages or benefits suffered by the individual by rea-  
 9 son of the violation involved. If the Board or court deter-  
 10 mines that such violation was willful, it shall award an  
 11 amount equal to backpay as liquidated damages.

12 “(b) A preference eligible or other individual de-  
 13 scribed in section 3304(f)(1) who prevails in an action  
 14 under section 3330a or 3330b shall be awarded reasonable  
 15 attorney fees, expert witness fees, and other litigation ex-  
 16 penses.”.

17 (b) CLERICAL AMENDMENT.—The table of sections  
 18 at the beginning of chapter 33 of title 5, United States  
 19 Code, is amended by adding after the item relating to sec-  
 20 tion 3330 the following:

“3330a. Administrative redress.

“3330b. Judicial redress.

“3330c. Remedy.”.

21 **SEC. 5. EXTENSION OF VETERANS’ PREFERENCE.**

22 (a) AMENDMENT TO TITLE 5, UNITED STATES  
 23 CODE.—Paragraph (3) of section 2108 of title 5, United  
 24 States Code, is amended by striking “the Federal Bureau

1 of Investigation and Drug Enforcement Administration  
2 Senior Executive Service, or the General Accounting Of-  
3 fice;” and inserting “or the Federal Bureau of Investiga-  
4 tion and Drug Enforcement Administration Senior Execu-  
5 tive Service;”.

6 (b) AMENDMENTS TO TITLE 3, UNITED STATES  
7 CODE.—

8 (1) IN GENERAL.—Chapter 2 of title 3, United  
9 States Code, is amended by adding at the end the  
10 following:

11 **“§ 115. Veterans’ preference**

12 “(a) Subject to subsection (b), appointments under  
13 sections 105, 106, and 107 shall be made in accordance  
14 with section 2108, and sections 3309 through 3312, of  
15 title 5.

16 “(b) Subsection (a) shall not apply to any appoint-  
17 ment to a position the rate of basic pay for which is at  
18 least equal to the minimum rate established for positions  
19 in the Senior Executive Service under section 5382 of title  
20 5 and the duties of which are comparable to those de-  
21 scribed in section 3132(a)(2) of such title or to any other  
22 position if, with respect to such position, the President  
23 makes certification—

24 “(1) that such position is—

1                   “(A) a confidential or policy-making posi-  
2                   tion; or

3                   “(B) a position for which political affili-  
4                   ation or political philosophy is otherwise an im-  
5                   portant qualification; and

6                   “(2) that any individual selected for such posi-  
7                   tion is expected to vacate the position at or before  
8                   the end of the President’s term (or terms) of office.  
9                   Each individual appointed to a position described in the  
10                  preceding sentence as to which the expectation described  
11                  in paragraph (2) applies shall be notified as to such expec-  
12                  tation, in writing, at the time of appointment to such posi-  
13                  tion.”.

14                  (2) CLERICAL AMENDMENT.—The table of sec-  
15                  tions at the beginning of chapter 2 of title 3, United  
16                  States Code, is amended by adding at the end the  
17                  following:

“115. Veterans’ preference.”.

18                  (c) LEGISLATIVE BRANCH APPOINTMENTS.—

19                   (1) DEFINITIONS.—For the purposes of this  
20                   subsection, the terms “employing office”, “covered  
21                   employee”, and “Board” shall each have the mean-  
22                   ing given such term by section 101 of the Congres-  
23                   sional Accountability Act of 1995 (2 U.S.C. 1301).

24                   (2) RIGHTS AND PROTECTIONS.—The rights  
25                   and protections established under section 2108, sec-

1 tions 3309 through 3312, and subchapter I of chap-  
2 ter 35, of title 5, United States Code, shall apply to  
3 covered employees.

4 (3) REMEDIES.—

5 (A) IN GENERAL.—The remedy for a viola-  
6 tion of paragraph (2) shall be such remedy as  
7 would be appropriate if awarded under applica-  
8 ble provisions of title 5, United States Code, in  
9 the case of a violation of the relevant cor-  
10 responding provision (referred to in paragraph  
11 (2)) of such title.

12 (B) PROCEDURE.—The procedure for con-  
13 sideration of alleged violations of paragraph (2)  
14 shall be the same as apply under section 401 of  
15 the Congressional Accountability Act of 1995  
16 (and the provisions of law referred to therein)  
17 in the case of an alleged violation of part A of  
18 title II of such Act

19 (4) REGULATIONS TO IMPLEMENT SUB-  
20 SECTION.—

21 (A) IN GENERAL.—The Board shall, pur-  
22 suant to section 304 of the Congressional Ac-  
23 countability Act of 1995 (2 U.S.C. 1384), issue  
24 regulations to implement this subsection.

1           (B) AGENCY REGULATIONS.—The regula-  
2           tions issued under subparagraph (A) shall be  
3           the same as the most relevant substantive regula-  
4           tions (applicable with respect to the executive  
5           branch) promulgated to implement the statu-  
6           tory provisions referred to in paragraph (2) ex-  
7           cept insofar as the Board may determine, for  
8           good cause shown and stated together with the  
9           regulation, that a modification of such regula-  
10          tions would be more effective for the implemen-  
11          tation of the rights and protections under this  
12          subsection.

13           (C) COORDINATION.—The regulations is-  
14           sued under subparagraph (A) shall be consist-  
15           ent with section 225 of the Congressional Ac-  
16           countability Act of 1995 (2 U.S.C. 1361).

17           (5) APPLICABILITY.—Notwithstanding any  
18           other provision of this subsection, the term “covered  
19           employee” shall not, for purposes of this subsection,  
20           include an employee—

21           (A) whose appointment is made by the  
22           President with the advice and consent of the  
23           Senate;

1 (B) whose appointment is made by a Mem-  
2 ber of Congress or by a committee or sub-  
3 committee of either House of Congress; or

4 (C) who is appointed to a position, the du-  
5 ties of which are equivalent to those of a Senior  
6 Executive Service position (within the meaning  
7 of section 3132(a)(2) of title 5, United States  
8 Code).

9 (6) EFFECTIVE DATE.—Paragraphs (2) and (3)  
10 shall be effective as of the effective date of the regu-  
11 lations under paragraph (4).

12 (d) JUDICIAL BRANCH APPOINTMENTS.—

13 (1) IN GENERAL.—Subject to paragraph (2),  
14 appointments to positions in the judicial branch of  
15 the Government shall be made in accordance with  
16 section 2108, and sections 3309 through 3312, of  
17 title 5, United States Code.

18 (2) REDUCTIONS IN FORCE.—Subject to para-  
19 graph (2), reductions in force in the judicial branch  
20 of the Government shall provide preference eligibles  
21 with protections substantially similar to those pro-  
22 vided under subchapter I of chapter 35 of title 5,  
23 United States Code.

24 (3) EXCLUSIONS.—Paragraphs (1) and (2)  
25 shall not apply to—

1 (A) an appointment made by the Presi-  
2 dent, with the advice and consent of the Senate;

3 (B) an appointment as a judicial officer;

4 (C) an appointment as a law clerk or sec-  
5 retary to a justice or judge of the United  
6 States; or

7 (D) an appointment to a position, the du-  
8 ties of which are equivalent to those of a Senior  
9 Executive Service position (within the meaning  
10 of section 3132(a)(2) of title 5, United States  
11 Code).

12 (4) REDRESS PROCEDURES.—The Judicial Con-  
13 ference of the United States shall prescribe regula-  
14 tions under which redress procedures (substantially  
15 similar to the procedures established by the amend-  
16 ments made by section 4) shall be available for al-  
17 leged violations of any rights provided by this sub-  
18 section.

19 (5) DEFINITIONS.—For purposes of this sub-  
20 section—

21 (A) the term “judicial officer” means a  
22 justice, judge, or magistrate judge listed in sub-  
23 paragraph (A), (B), (F), or (G) of section  
24 376(a)(1) of title 28, United States Code; and

1 (B) the term “justice or judge of the Unit-  
2 ed States” has the meaning given such term by  
3 section 451 of such title 28.

4 **SEC. 6. VETERANS’ PREFERENCE REQUIRED FOR REDUC-**  
5 **TIONS IN FORCE IN THE FEDERAL AVIATION**  
6 **ADMINISTRATION.**

7 Section 347(b) of the Department of Transportation  
8 and Related Agencies Appropriations Act, 1996 (109 Stat.  
9 460) is amended by striking “and” at the end of para-  
10 graph (6), by striking the period at the end of paragraph  
11 (7) and inserting “; and”, and by adding at the end the  
12 following:

13 “(8) sections 3501–3504, as such sections re-  
14 late to veterans’ preference.”.

15 **SEC. 7. DEFINITIONAL AMENDMENT.**

16 Subparagraph (A) of section 2108(1) of title 5, Unit-  
17 ed States Code, is amended by inserting “during a mili-  
18 tary operation in a qualified hazardous duty area (within  
19 the meaning of the first 2 sentences of section 1(b) of  
20 Public Law 104–117) and in accordance with require-  
21 ments that may be prescribed in regulations of the Sec-



- 1 retary of Defense,” after “for which a campaign badge
- 2 has been authorized,”.

Passed the House of Representatives July 30, 1996.

Attest:

*Clerk.*